

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

LONNY T. PAYNE

Plaintiff

VS.

BUREAU OF COLLECTION
RECOVERY, INC.

Defendant

CAUSE NO. 1:09 CV-0572 DFH-JMS

PLAINTIFF'S NOTICE OF DISMISSAL

Plaintiff, by counsel, pursuant to F.R.C.P. Rule 41(a)(1), voluntarily dismisses this action with prejudice. Defendant has filed neither an Answer nor a Motion for Summary Judgment.

/s/ Andrew R. Retherford
Andrew R. Retherford, Bar #6483-18
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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was sent by first class U.S. mail, postage prepaid, on August 14, 2009, to: Ryan J. Trucke, Attorney for Defendant, BRUTLAG, HARTMANN & TRUCKE, P.A., 3555 Plymouth Boulevard, Suite 117, Minneapolis, MN 55447-1399.

/s/ Andrew R. Retherford
Andrew R. Retherford
Bar #6483-18
Attorney for Plaintiff